

ORIZCO, WHIPPED, SAYS FIGHTING IS ONLY BEGUN

Report That He Was Killed by His Own Men Has Not Been Confirmed.

REBELS ADMIT BIG LOSS

They Insist, However, That the Federals Suffered as Severely as They.

MEXICO, May 13.—A report was given here this afternoon that Gen. Orozco had been murdered in his camp at Rellano, but it is impossible to confirm this. Rebel officers here deny the report, but admit that they have received no word from the leader to-day. This rumor coming on the heels of the attempted assassination of Gonzales S. Enrile, Gen. Orozco's general secretary and fiscal agent for the revolutionary party, has raised intense uneasiness among the rebels. Enrile was stabbed twice to-day while walking in the plaza at Chihuahua. An attempt was made to keep this news from the rebel soldiers, but almost every man in camp knows about the attack to-night. Enrile's assailants escaped.

Lack of water forced Gen. Orozco to retreat from Conchos to Rellano after the night with the Federals under the command of Gen. Huerta. The rebel troops are now strongly posted in the same places where they recently defeated the Federals under Gen. Salas, who committed suicide after the battle. Rebel officers admit their losses in Sunday's and Saturday's engagements were heavy, but maintain the losses of the Federals had been equally as great.

Details of the number killed are hard to obtain, but figured from the stories of the wounded brought here the rebel loss is estimated at 500 to 600.

When the fight around Conchos opened, the rebels were in a position to retreat. There was only one road to the south, and this was so narrow that the battle raged under a blazing sun and on blistering hot sands most of the time. Orozco refused the water cars brought from Rellano, but an open switch and a careless or inexperienced train crew wrecked the water cars before they got away from the bank at Rellano.

To save further suffering on the part of the men, Orozco ordered a retreat to Rellano. There he has undoubtedly received reinforcements, but he is in a position to fight. If he is defeated, his strongly entrenched position, the rebels will no doubt scatter in scores of bands, for those who have been watching this revolution do not believe Orozco can hold his troops together if he is decisively beaten at Rellano. He would be forced at best to retreat to Chihuahua, the main rebel base, but it is not likely he could control enough of his men to make a stand even there. Defeat of the rebels where they are now entrenched means therefore a protracted guerrilla warfare in north Mexico such as blighted the republic to the south ever since the present insurrection broke out.

The rebel chief says the revolution has just started and refuses to admit that he received a blow that was serious, but declares that he inflicted heavier loss upon the Federals than he sustained himself and that while he was falling back from Conchos, his flankers were getting into such a position that he now virtually has the Federals bottled up. Admitting that a retreat took place on Sunday, he declares that his men had completed the work of flanking the Federals before being discovered this morning. He says that Gen. Argueta and Campos, who were sent out on the flank movement, have evidently completed their task. Last night he was not sure whether they had been captured or not, but to-day, since the Federals made no claim of such capture, he was certain that the flanking movement was successful. This afternoon he had heard nothing direct from them, and therefore he has no idea of making any forward advance immediately unless his flanking forces become engaged to such an extent that it is necessary to march his main army south again.

Orozco declares that lack of water on the part of the Federals had much to do with their retreat as the fire of the Federals, as there is absolutely no water in the desert at Conchos or between there and Rellano, the present field headquarters of the rebels. He had moved up several cars of water for his men, but this was soon discovered by the Federals and became necessary. He was also short of food.

The rebels' heaviest fighting yesterday was with the Federal column commanded by Gen. Trujillo, who was wounded. Federal prisoners taken by the rebels and some wounded from the Federal ranks declare that the havoc was terrible. The Federal column, in command of the Federal division, operated against the rebel command and did most of the execution with its pneumatic dynamite guns. To the lack of artillery among the rebels is attributed the failure of the rebel army effectively to break the Federal artillery, which was supported by trained officers and men. The Federal artillery officers, it is widely believed, were killed by rebel snipers, however. The rebel army is not demoralized and their commanders insist that their loss in killed and wounded will not total 300 men.

MEXICO, May 13.—Gonzalez

FOSDICK AIDS WALDO IN WAR ON LOCAL JUDGES

Writes That Judge Mulqueen Is Under Investigation by Bar Association.

125 SUSPENDED SENTENCES

Police Commissioner Gives Out a Table and Is After Another Judge.

The conduct of Judge Mulqueen of the Court of General Sessions has been under investigation by the Bar Association for the last six months, it was learned yesterday, when in following up its attack on that court. Police Commissioner Waldo made public a letter from Commissioner of Accounts Fosdick. In this Mr. Fosdick criticizes Judge Mulqueen's discharge of two prisoners.

The letter was written on April 15 and was sent to Commissioner Waldo after his letter of April 13 to Judge Mulqueen. Mr. Fosdick writes of the trial of four Italians arrested on the night of April 18, 1911, for burglary. He says:

"Two detectives, Capone and Digilio, while on an assignment in connection with Black Hand outrages, discovered the four men apparently attempting to enter a store located at 822 East 107th street. The defendants were indicted for burglary in the third degree, and on May 4 the case against two of them came to trial in the Court of General Sessions before Judge Mulqueen. The third witness called for the people was Detective Capone. The following examination occurred, which I have taken directly from the official minutes of the trial:

By the Assistant District Attorney—Will you state very briefly to the jury just what you saw those two defendants do on that night and just what you saw the other two boys do in the presence of these defendants?

A. We were standing in the hallway of 328 East 107th street, watching the premises 328, which had been blown up by dynamite. The Court—Strike that out. Now I can understand why the police are criticized. It is because they are so anxious to take care of other people's business. Now I am going to instruct the jury on account of the improper statement to render a verdict of not guilty. That statement was made deliberately by this witness to prejudice the jury against these defendants. That is what it was made for.

By the Assistant District Attorney—Your Honor, I don't believe he made it to prejudice them.

The Court—The jury is directed to acquit these defendants on the ground of improper conduct on the part of the witness in making a statement clearly and positively intended to prejudice them in their legal rights. (People vs. Rubino and De Rose, p. 30.)

"Under the direction of the court, therefore, the jury returned a verdict of not guilty. In the afternoon of the same day the case against the other two Italians came to trial before the same Judge. The people's evidence against these two defendants was exactly similar to the evidence in the case of the defendants acquitted. In the second trial, however, the case was submitted to the jury and a verdict of guilty was returned.

"During the progress of this trial the attorney for the defendants attempted to get before the jury the fact that the two other defendants who had been arrested at the same time on the same charge had been acquitted. The court in objecting to this procedure gave vent to the following utterance:

"The court directed the acquittal [in the former case] because of the misconduct of a witness and not on the merits. (People vs. Litteri and Palazzola, p. 11.)

"I am a lawyer and know how to characterize a statement such as this. Perhaps the best remark that can be passed upon it is the statement of the Appellate Division, First Department, in criticizing the work of Judge Mulqueen in another case (People vs. Acardo) to the effect that the conduct of the Judge robbed the trial of 'even a semblance of judicial inquiry.' (People vs. Acardo, 140 App. Div. 929.)

"Judge Mulqueen's conduct in the burglary case and in other similar cases has been brought to the attention of the Bar Association.

Commissioner Waldo said yesterday that Commissioner Fosdick's letter spoke for itself and that he had merely to add to it a few figures showing the attitude of the courts during the present year. From January 1 to May 9, according to the Commissioner's figures, there were arrested 11,006 prisoners. Of these 4,903 were convicted, 3,385 were acquitted, 2,518 are awaiting trial. Of the convicted prisoners sentences were suspended on 1,332, of whom 85 were convicted of burglary and 45 convicted of assault and robbery.

"It has never been the policy of the police administration to attack the courts, said Commissioner Waldo, 'and I have previously refrained from making public the working of the Police Department, but I have decided to give out from time to time statements of fact bearing on the present situation.'

Mr. Fosdick said he had written the letter to Commissioner Waldo of his own volition after Judge Mulqueen's attack on Dougherty. Mr. Fosdick said he had long been cognizant of conditions in the Court of General Sessions which cried out for correction. His office makes a periodical examination of the court accounts and in that way has come into the possession of a good deal of information as to the administration of justice in them.

Commissioner Waldo said he will make public to-day the name of the Judge to whom he referred in his speech at the Union Methodist Episcopal Church on Sunday night when he told how one case had been thrown out of court. After the evidence against the prisoner the Judge turned to the Assistant District Attorney and said: 'Is that all you have in the way of evidence in your rotten case?'

"That is all except the written confession of the defendant," answered the prosecutor, and the court turned to the jury and said, 'Because of the improper remark of the Assistant District Attorney I direct you to acquit the defendant.'

MALE BRAINS AVERAGE HIGHER.

Dr. Spitzka Finds Females Lower in Abstract Mental Conception.

PHILADELPHIA, May 13.—Dr. Edward Anthony Spitzka, noted as a brain expert the world over, professor of general anatomy at the Jefferson Medical College and director of the Daniel Baugh Institute, after having examined hundreds of human brains declares that woman as a sex never will be the equal of man in abstract mental conception.

Apart from that capacity for abstract conception Dr. Spitzka declares that his examinations have shown no difference between the brains of the sexes except that the feminine brain is smaller, a fact which he attributes to the smaller frame of the woman.

"In the female brain," said Dr. Spitzka, "the convolutions are broader and of more simple type. The female brain is usually characterized by a smaller frontal lobe. The frontal lobe is concerned more with the abstract concept and therefore it would seem that the male is possessed of greater capacity for abstract conception."

"While no one will dispute that the individual woman may excel the average man, it is a fact that in the mass the brains of women are smaller, less richly and less completely fissured and so endowed with less cortical area than those of men."

RICHESON TRIED TO BUY POISON; OFFERED \$100

Wanted Vial Exactly Like the One He Got to Kill Avis Linnell.

TO DEATH HOUSE TO-DAY

Alienists, Still at Work, Are Expected to Report to Governor To-day.

BOSTON, May 13.—There is a lot of talk of an unusual nature about something that Clarence V. T. Richeson, the condemned murderer of Avis Linnell, threatens to reveal if he finds that he is going to be executed. For instance, an official whose business it is to follow the case closely said:

"We have absolute proof that Clarence Richeson within a fortnight offered a man at the Charles street jail \$100 if he would procure for him a vial of cyanide of potassium similar in shape and size to that which he purchased from Druggist Hahn of Newton."

"We had the name of the man who got and reported the offer, the exact time it occurred and other circumstances. Now what do you suppose Richeson wanted a duplicate poison vial for at this late day, with his petition for clemency before the Governor and death so close at hand?"

"Doesn't it indicate that he expected to live longer than the court decreed? Richeson, I'm telling you, doesn't expect to die. Perhaps he wanted the duplicate vial for a 'plant.' But that suggests the question, Why should he want to plant it? There is something strange and baffling hidden in Richeson's case. I look for it to come out yet. It doesn't relate to a writ of error or any legal opposition that may be directed toward the acceptance of his plea."

"Richeson will have something to say to the world or I miss my guess. He will not die without a fight on his own part. His conduct at the jail indicates that."

Richeson was again subjected to a long examination to-day at the hands of the three alienists appointed by Gov. Foss to ascertain if he is insane.

From 12 o'clock this afternoon until 7 o'clock to-night the murderer of Avis Linnell was with the three doctors in Sheriff Quinn's library at the Charles street jail.

The tests used in an effort to determine his mental state were not made public by the alienists. There has been talk about compelling the prisoner to walk a tight line; of tapping his knees with a silver hammer; of his jumping from one foot while blindfolded; of pin pricks over his body and of gymnastic stunts, but all these were guesses, because the doctors have not told what they have done.

The guesses were probably nearly right, because they are the usual stunts a man is subjected to when his sanity is in question.

Whatever methods the physicians followed, they have had no apparent effect on Richeson's physical condition. To-night when he was taken from the library to his cell he was in good shape, so Sheriff Quinn said, and a denial was made that there had been any breakdown of a physical nature following any one of the examinations.

The three alienists, Drs. Stedman, Tuttle and Frost, said when they left the jail to-night that they expected to see Richeson again, probably to-morrow morning. That was all they had to say to the newspaper men who were anxious to learn why it was deemed necessary to make so many long examinations of the condemned man.

There is a growing impression that the doctors are not agreed in their opinions as to the mental state of Richeson, which compels them to go back to the jail to try new tests.

Dr. L. Vernon Briggs and Dr. Henry R. Stedman called at the Executive department shortly before noon to-day. Dr. Stedman remained only a few minutes. Dr. Briggs filed his report on the case with the Governor, who now awaits the reports of Dr. Tuttle, Dr. Frost and Dr. Stedman. These will probably reach him by Wednesday noon.

The Executive department this afternoon issued a brief note to the effect that the Briggs report had been submitted. Dr. Briggs would not intimate what his report contained. It was persistently rumored, however, that he does not find that Richeson is now or has ever been entirely irresponsible and if it is not proved to the Governor that there is at least a strong doubt as to Richeson's responsibility it is not believed that he will even refer the case to the Executive Council.

The following statement was made by one of the officials in the Executive department this afternoon who had seen the Briggs report:

"The Governor has not been trying in any way to save Richeson. There was a situation which he wanted to guard against. If the Governor had not sought the opinions of noted alienists as to the sanity or responsibility of Richeson it would have been entirely unfortunate if after the execution of the prisoner there should have been published the affidavits gathered together by counsel for Richeson relative to his life history and his lack of responsibility."

It is believed that had Dr. Briggs' report been to the effect that the prisoner was irresponsible absolutely this statement would scarcely have been made by the official in question.

No time has been fixed upon for the removal of Richeson to a death cell at the State prison. It is likely that the transfer will be made to-morrow, but this cannot be stated as a fact.

Sheriff Quinn said to-night that the prisoner would not be moved before noon to-morrow, which would seem to indicate that he will take Richeson to Charlestown some time after that hour if the alienists have finished with him. It is not regarded as likely that the Sheriff will turn his charge over to Warden Bridges until after nightfall or make public the exact hour because of the likelihood of a crowd gathering.

DEAF MUTES MADE DISORDER.

Magistrate Krotel's Court a Confusion of Fingers.

The Tombs police court was thrown into confusion yesterday by a group of deaf mutes, who made such a digital uproar that they had to be put out of court. Henry J. Hecker, pressman, of 745 East 132d street, had summoned to court Miss Nora Sullivan, of 330 Water street, who he alleged, hit him on the head with an umbrella on Chambers street on Saturday. Both complainant and defendant were deaf mutes.

Sergt. Quackenbos, who once taught in an institution for the deaf and dumb, acted as interpreter for the sign language. Miss Sullivan tried to tell him that Hecker had called her bad names. Sergt. Quackenbos said the language was very objectionable; that is, as much as he could catch of it, for the witness talked so fast he couldn't follow her. She talked so fast, in fact, that she went into hysterics and fainted. Three court attendants carried her out to the Magistrate's chamber and revived her. The next attempt to explain the case was worse than the first and Magistrate Krotel finally threw the case out of court.

Some fifteen or twenty deaf mutes who had come as witnesses tried to mix it up in the corridor, but Sergt. Quackenbos got busy with his hands and told them to subside.

RISKS DEATH TO REACH SON.

Father Rides on Blind Baggage Train He Falls Exhausted.

PHILADELPHIA, May 13.—Albert Frazier, 29 years old, of Atlantic City, this morning risked his life in an effort to reach his starving son at Providence, R. I., when for ninety miles he rode on a three inch ledge on the forward end of a blind baggage car which at times reached a speed of 60 miles an hour.

Frazier started this morning on the death of his wife in Providence. With her he was the nine-year-old son of the couple. He was without funds and he attempted to beat his way to Providence. When the train reached West Philadelphia Frazier dropped from it exhausted. He was arrested, but Magistrate Tracey refused to hold him and took up a collection so that Frazier might reach Providence on a regular ticket.

V. L. MASON DEAD IN AIRSHIP WRECK

Republican National Committee Assistant Secretary Crushed.

DIES WITH AVIATOR

Monoplane Suddenly Falls on Brooklands Grounds and Catches Fire.

SOPWITH GOES TO AID

Swoops Down to Scene and Rescues Bodies From Fire, Says London Cable.

SPECIAL CABLE DESPATCH TO THE SUN. LONDON, May 13.—The English aviator E. V. B. Fisher and a passenger who has as yet not been fully identified, but is supposed to be Victor Louis Mason, the American railroad man, were killed at the Brooklands aviation grounds to-night. Mason was a friend of the British naval airman Commander Sampson, who gratified his wish for an air trip by asking Fisher to take him up.

The pair circled the Brooklands course about half a dozen times in a Howard-Flanders monoplane. They were coming down when the machine seemed to side slip suddenly and then dived down straight like a stone for about 150 feet.

Aviator Sopwith, who was flying about at the time, saw what had happened and swooped down to the spot to see what he could do. He found both men dead, the machine a wreck and the petrol tank burning. Mason's clothes were on fire at the time, but Sopwith and some men whom he called to his help succeeded in extinguishing the fire before the bodies were burned up.

It appeared to be certain that both men were killed instantly. Their spines were dislocated.

It has as yet been impossible to decide as to the exact cause of the accident.

Earlier in the day Fisher had taken another passenger in the same machine and flew around without any trouble. At that time and until the moment of the fall the weather had been calm and clear.

At the moment of the accident Commander Sampson was visiting the hangars. He did not see the accident, but when informed of what had happened was greatly distressed.

"It is a terrible thing," he cried, "that I should have brought my friend to death like this."

He added that Mason had been a passenger in a biplane and wanted to see how a monoplane worked.

Mr. Mason left this country on January 6 to make arrangements for the sale in England of the bonds of the North Carolina Transcontinental Construction Company, which he organized and of which he was president. The company was capitalized at \$22,000,000 and Mr. Mason had completed his sales and had intended to sail for home about a week ago, but delayed taking ship at the last moment. The projected railroad was to run from Knoxville, Tenn., to Rutherford, N. C., and was the last of a number of large undertakings of that kind in which Mr. Mason had interested himself.

He was born in Washington, D. C., on December 9, 1870, and was graduated from George Washington University in 1897 with the degree of bachelor of science. That same year he became private secretary to Secretary of War Alger and continued in that position for two years. He then went to Detroit and associated himself with Gen. Alger in the lumber business.

Mr. Mason had interested himself in New Jersey politics and in 1898 was a delegate to the State Republican convention, which named him as one of the alternate delegates to the national convention of that year in Chicago. He had been a clerk in the board of ordnance and fortification in the administration of Secretary Alger and from the sources thereby placed at his command he wrote the story of Lincoln's assassination. It appeared in the Century Magazine under the title "Four Lincoln Conspiracies."

In 1902 he returned from Detroit to become vice-president of the Development Company of America, and from that time on was a big figure in the financial world. He made his home in Passaic, and from 1906 to 1909 was president of the Passaic Board of Trade. In 1908 he became assistant secretary to the Republican national committee and had practically entire charge of President Taft's campaign in the East. He and the President were close friends and on the occasion of Mr. Taft's visit to Passaic last year the President was entertained by Mr. Mason. He was still assistant secretary of the national committee at the time of his death. In 1906 and 1908 he served as a member of the New York and New Jersey Interstate Bridge Commission.

Mr. Mason's New York office was at 11 Pine street. He was a director of the Imperial Copper Company, the Tombstone Consolidated Mining Company, the Poland Mining Company and the Gila Copper Sulphide Company. He was a member of the Metropolitan and Lawyers clubs, the Cosmos Club of Washington, the Automobile Club of America and the Passaic, Acquackanonk and Yonkers Country clubs of New Jersey. He also was a member of the Theta Delta Chi fraternity.

Mrs. Mason was predeceased when the news of her husband's death was brought to her last night. The message came from the Carlton Hotel in London, where Mr. Mason had stopped while in England. Besides the wife he is survived by three children, Annette, 14 years old; Helena, 11 years old, and Victor, 4 years old.

Mrs. Mason was Miss Daisy C. Simons, daughter of Frank Asbury Simons of Watertown, N. Y.

Bretton Woods Hotel, White Mt. N. H. The Mount Pleasant, The Mount Washington, Boating Office 1100 B way, Tel. 474 Med. Sq.—Ad.

WOMEN WIN HAT BATTLE.

Court Decides They Can Wear Head Placery in Berlin Theaters.

SPECIAL CABLE DESPATCH TO THE SUN. BERLIN, May 13.—The women have routed Herr Jagow, the Police Commissioner, in the great theatre hat battle. It will be recalled that some months ago the Commissioner after listening to innumerable complaints from men sufferers issued a decree that the women must remove their creations in theatres and other places where they interfered with the vision of the male.

He also put it up to the managers of such places to enforce this order. The managers asked the women to obey the edict and they refused to do so. The managers saw their receipts declining night after night because the women would not stand the shows if they could not wear their hats. This got to be a serious matter and the managers took it to the courts.

They won a decision to-day that the decree of the Commissioner was illegal and the order has been nullified.

STRIKE IN BRITISH NAVY?

Sailors Threaten to Organize in Order to Force Reforms.

SPECIAL CABLE DESPATCH TO THE SUN. LONDON, May 13.—According to the Daily Chronicle, the present unrest among the sailors in the British navy is due to dissatisfaction with the conditions of the service, especially in reference to pay and punishments. This complaint has become so acute that petty officers and men in the service are contemplating a breach of the King's regulations by forming themselves into a trade union.

The writer of the article makes a long statement in this connection, which the paper prints conscientiously. He says it is time for the nation and the naval authorities to realize that if the Admiralty does not start immediately to reform the legitimate grievances of these 100,000 men, or if the country does not compel the authorities to measure out at least justice, the rank and file of the navy will form an association which will be strong enough to demand redress by methods with which the industrial history of the country for the last year or two has made the country painfully familiar.

DIET FOR SCHOOL CHILDREN.

English Reform Body Says They Should Have Heaps of Food.

SPECIAL CABLE DESPATCH TO THE SUN. LONDON, May 13.—The members of the National Food Reform Association and others met in conference at the Guildhall to-day to discuss the question of diet for school children. Divers opinions were expressed as to what should be done to bring to school children in the matter of food.

During the discussion the point was emphasized that boys seemed to prefer singularly unappetizing food if prepared by themselves to that provided by the doctor. The physician at Rugby, Dr. Duke, said there was undoubtedly need of better feeding in girls' schools. Girls from 11 to 16, he said, grew and broadened to an amazing extent, passing the boys in the race by several inches; but here at this age the stunting of food to the girls amounted to positive cruelty. While adults should arise from the table hungry, said the doctor, children should reach the sense of repletion.

All boys will agree with Dr. Duke's dictum that besides a substantial breakfast and dinner the tea should include eggs, jams, fish, potted meats, cakes, treacle and honey. The girls are not likely to disagree with this.

Miss Robertson of Christ Hospital Girls' School, who in a good word for the food shop, where boys and girls get their candies and luns, said that human beings preferred their own choice of food to the wisest choice made by others.

WAR CORRESPONDENT KILLED.

Smallwood Loses Life in Skirmish He Is Reporting.

SPECIAL CABLE DESPATCH TO THE SUN. LONDON, May 13.—Mr. Smallwood, the correspondent of the Daily Chronicle with the Turkish forces, has been killed in a skirmish near Derna.

WOULD CUT BISHOPS' PRICES.

Methodists Object to Paying Big Sums for Lecture Sermons.

MINNEAPOLIS, May 13.—That Bishops of the Methodist Episcopal Church who charge for special sermons and lectures when they receive each year a salary of \$5,000 and traveling expenses may receive a slap from the General Conference before the session closes here is indicated by several memorials on the subject which were presented to the committee on episcopacy to-day.

It is charged by those behind the memorials that the salary of the Bishops is sufficient and that in many cases the prices for the lecture sermons are so exorbitant that the poorer churches which need a Bishop's presence most are unable to pay them.

It is reported that the episcopacy committee, as a sort of compromise between the two factions, will recommend the retirement of two Bishops at the present session. One faction, it is said, urged the retirement of several, while the other advocated the withdrawal from active service of only one man.

That Copenhagen, Denmark, may receive an episcopal residence also is talked among the delegates.

The Sunday school board reports: New schools established, 1,124; enrollment in those schools, 42,000; new church organizations, 204; new churches actually built, 117; value of these churches, \$220,650.

WHERE TO HAVE LUNCHEON. For luncheon the best American Wines. R. T. DREW & SONS CO., 18 Fulton St., N. Y.

QUICK DROP IN TEMPERATURE.

Thermometer Here Expected to Be at 42 Before Morning.

A blast out of the northwest, where the mercury recorded temperatures in the freezing point, hit the town yesterday afternoon and the silver streak tumbled down the tube from the summer suggestive altitude of 60 degrees to the shivering height of 48 in seven hours, and was still falling when the Weather Bureau went to bed and pulled the blankets over itself. The wind was too high, in the opinion of the local experts, to permit frost, so the farmers and the commuters with gardens may awake to-day feeling happy over the salvation of their crops, big and little. It looked to the local forecasters as if the temperature would not go below 42 or 43. In northern New York and over the lake region the temperatures were between 32 and 38. It surely will be a very cold May morning.

AUGUSTE STRINDBERG DYING.

Only a Question of Hours Before Novelist's Life Ends.

SPECIAL CABLE DESPATCH TO THE SUN. STOCKHOLM, May 13.—Auguste Strindberg, the novelist, who is suffering from cancer, is rapidly sinking. It is now only a question of hours before the end comes.

KENTUCKY GUN MEN BUSY.

Six Men and One Woman Killed in Mountain Quarrels.

LEXINGTON, Ky., May 13.—Six men and one woman were killed in shooting affrays in the Kentucky mountains last Sunday. Two men were slain in Breathitt county. Robert Beard went to Daniel Morris's home to act as peacemaker for a young man who wanted to marry Morris's daughter. A fight followed and Beard nearly decapitated Morris with a butcher knife. In Bell county Deputy Sheriff David Elliott attempted to arrest Luther and James Sizemore. They resisted and a battle ensued, Elliott killing both brothers. In Whitley county, in a battle which followed the attempt of Town Marshal Thomas Bolin to arrest Wiley Parkin for "bootlegging," Mrs. Bolin was killed when she threw herself in front of her husband as Parkin fired at him. Parkin was killed by Bolin's friends, and Al Butcher, a supporter of Parkin, was also killed. In Breathitt county Gray Haddix, deputy sheriff, was killed by Samuel Hensley in a fight over a woman.

BATTLESHIP MICHIGAN WINS.

Leads Fleet in All Forms of Gun Practice—Will Receive the Trophy.

WASHINGTON, May 13.—The battleship Michigan leads the battleship fleet in all forms of gun practice this year, according to scores computed at the Navy Department. The Michigan will receive the trophy for which the ships were competing and will hold it for one year. The standing of the various ships in the order of their excellence was announced as follows: Michigan, Utah, Delaware, Virginia, North Dakota, New Hampshire, New Jersey, Ohio, Rhode Island, Maryland, Connecticut, Louisiana, North Carolina, Mississippi, Kansas, South Carolina, Minnesota, Nebraska and Georgia.

STUDENT AVIATOR KILLED.

Companion Fatally Hurt When Machine Hits Pole.

ST. LOUIS, Mo., May 13.—Raymond Wheeler, student aviator, aged 30, of Washington, D. C., was killed, and Peter Glasser, student aviator, aged 27, of Billings, Mon., received injuries which will probably cause his death, when an aeroplane in which they were flying at Kinloch Field, about 7 o'clock to-night, became unmanageable in a high wind, crashed into a telegraph pole and dropped forty feet to the ground, burying the two students in the wreckage. The gasoline tank exploded, but the half hundred people on the field dragged the aviators from the wreckage before they were burned.

Wheeler's body and limbs were crushed and Glasser's arms and legs were fractured, his head was terribly cut and he received internal injuries and a fracture of the skull.

No Compromise in Maryland. BALTIMORE, May 13.—The Taft and Roosevelt managers held several conferences to-night, but did not agree upon a compromise for the division of the sixteen delegates to the Chicago convention to be chosen at the State convention here to-morrow. The seventy-one Taft delegates will control the State convention. At midnight the indications are that the fight will be carried to the floor of the convention to-morrow.

PASTOR OF FRENCH CHURCH DIES OF APPOXY AFTER HAVING TOOTH PULLED.

The Rev. Henri L. Grandienard, who has been the pastor of French Presbyterian Church at 126 West 51st street for the last forty years, died last night in the New York Hospital from hemorrhage of the gums and apoplexy, with which he was stricken in a dentist's office at 247 Sixth avenue. At the hospital the physicians said that the shock of having a tooth pulled probably had brought on the stroke of apoplexy.

Pastor Grandienard was 79 years old and previous to coming to this city had been a missionary in the countries of the upper Nile. He assumed his pastorate on April 18, 1872, and in 1885 was able to purchase the present church. He organized the Home for French Working Girls in this city and was one of the founders of the French branch of the Y. M. C. A. He lived at Hicksville with his wife and came every morning to the church to transact his business, returning in the afternoon.

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PHILADELPHIA, May 13.—Dr. Edward Anthony Spitzka, noted as a brain expert the world over, professor of general anatomy at the Jefferson Medical College and director of the Daniel Baugh Institute, after having examined hundreds of human brains declares that woman as a sex never will be the equal of man in abstract mental conception.

Apart from that capacity for abstract conception Dr. Spitzka declares that his examinations have shown no difference between the brains of the sexes except that the feminine brain is smaller, a fact which he attributes to the smaller frame of the woman.

"In the female brain," said Dr. Spitzka, "the convolutions are broader and of more simple type. The female brain is usually characterized by a smaller frontal lobe. The frontal lobe is concerned more with the abstract concept and therefore it would seem that the male is possessed of greater capacity for abstract conception."

"While no one will dispute that the individual woman may excel the average man, it is a fact that in the mass the brains of women are smaller, less richly and less completely fissured and so endowed with less cortical area than those of men."

DEAF MUTES MADE DISORDER.

Magistrate Krotel's Court a Confusion of Fingers.

The Tombs police court was thrown into confusion yesterday by a group of deaf mutes, who made such a digital uproar that they had to be put out of court. Henry J. Hecker, pressman, of 745 East 132d street, had summoned to court Miss Nora Sullivan, of 330 Water street, who he alleged, hit him on the head with an umbrella on Chambers street on Saturday. Both complainant and defendant were deaf mutes.

Sergt. Quackenbos, who once taught in an institution for the deaf and dumb, acted as interpreter for the sign language. Miss Sullivan tried to tell him that Hecker had called her bad names. Sergt. Quackenbos said the language was very objectionable; that is, as much as he could catch of it, for the witness talked so fast he couldn't follow her. She talked so fast, in fact, that she went into hysterics and fainted. Three court attendants carried her out to the Magistrate's chamber and revived her. The next attempt to explain the case was worse than the first and Magistrate Krotel finally threw the case out of court.

Some fifteen or twenty deaf mutes who had come as witnesses tried to mix it up in the corridor, but Sergt. Quackenbos got busy with his hands and told them to subside.

RICHESON TRIED TO BUY POISON; OFFERED \$100

Wanted Vial Exactly Like the One He Got to Kill Avis Linnell.

TO DEATH HOUSE TO-DAY

Alienists, Still at Work, Are Expected to Report to Governor To-day.

BOSTON, May 13.—There is a lot of talk of an unusual nature about something that Clarence V. T. Richeson, the condemned murderer of Avis Linnell, threatens to reveal if he finds that he is going to be executed. For instance, an official whose business it is to follow the case closely said:

"We have absolute proof that Clarence Richeson within a fortnight offered a man at the Charles street jail \$100 if he would procure for him a vial of cyanide of potassium similar in shape and size to that which he purchased from Druggist Hahn of Newton."

"We had the name of the man who got and reported the offer, the exact time it occurred and other circumstances. Now what do you suppose Richeson wanted a duplicate poison vial for at this late day, with his petition for clemency before the Governor and death so close at hand?"

"Doesn't it indicate that he expected to live longer than the court decreed? Richeson, I'm telling you, doesn't expect to die. Perhaps he wanted the duplicate vial for a 'plant.' But that suggests the question, Why should he want to plant it? There is something strange and baffling hidden in Richeson's case. I look for it to come out yet. It doesn't relate to a writ of error or any legal opposition that may be directed toward the acceptance of his plea."

"Richeson will have something to say to the world or I miss my guess. He will not die without a fight on his own part. His conduct at the jail indicates that."

Richeson was again subjected to a long examination to-day at the hands of the three alienists appointed by Gov. Foss to ascertain if he is insane.

From 12 o'clock this afternoon until 7 o'clock to-night the murderer of Avis Linnell was with the three doctors in Sheriff Quinn's library at the Charles street jail.

The tests used in an effort to determine his mental state were not made public by the alienists. There has been talk about compelling the prisoner to walk a tight line; of tapping his knees with a silver hammer; of his jumping from one foot while blindfolded; of pin pricks over his body and of gymnastic stunts, but all these were guesses, because the doctors have not told what they have done.

The guesses were probably nearly right, because they are the usual stunts a man is subjected to when his sanity is in question.

Whatever methods the physicians followed, they have had no apparent effect on Richeson's physical condition. To-night when he was taken from the library to his cell he was in good shape, so Sheriff Quinn said, and a denial was made that there had been any breakdown of a physical nature following any one of the examinations.

The three alienists, Drs. Stedman, Tuttle and Frost, said when they left the jail to-night that they expected to see Richeson again, probably to-morrow morning. That was all they had to say to the newspaper men who were anxious to learn why it was deemed necessary to make so many long examinations of the condemned man.

There is a growing impression that the doctors are not agreed in their opinions as to the mental state of Richeson, which compels them to go back to the jail to try new tests.

Dr. L. Vernon Briggs and Dr. Henry R. Stedman called at the Executive department shortly before noon to-day. Dr. Stedman remained only a few minutes. Dr. Briggs filed his report on the case with the Governor, who now awaits the reports of Dr. Tuttle, Dr. Frost and Dr. Stedman. These will probably reach him by Wednesday noon.

The Executive department this afternoon issued a brief note to the effect that the Briggs report had been submitted. Dr. Briggs would not intimate what his report contained. It was persistently rumored, however, that he does not find that Richeson is now or has ever been entirely irresponsible and if it is not proved to the Governor that there is at least a strong doubt as to Richeson's responsibility it is not believed that he will even refer the case to the Executive Council.

The following statement was made by one of the officials in the Executive department this afternoon who had seen the Briggs report:

"The Governor has not been trying in any way to save Richeson. There was a situation which he wanted to guard against. If the Governor had not sought the opinions of noted alienists as to the sanity or responsibility of Richeson it would have been entirely unfortunate if after the execution of the prisoner there should have been published the affidavits gathered together by counsel for Richeson relative to his life history and his lack of responsibility."

It is believed that had Dr. Briggs' report been to the effect that the prisoner was irresponsible absolutely this statement would scarcely have been made by the official in question.

No time has been fixed upon for the removal of Richeson to a death cell at the State prison. It is likely that the transfer will be made to-morrow, but this cannot be stated as a fact.

Sheriff Quinn said to-night that the prisoner would not be moved before noon to-morrow, which would seem to indicate that he will take Richeson to Charlestown some time after that hour if the alienists have finished with him. It is not regarded as likely that the Sheriff will turn his charge over to Warden Bridges until after nightfall or make public the exact hour because of the likelihood of a crowd gathering.

DEAF MUTES MADE DISORDER.